

REMARKS

Claim Rejections under 35 U.S.C. 102(e)

In the Office Action mailed March 11, 2005, Claims 1-230 were rejected under 35 U.S.C. 102(e) as being anticipated by Conrad et al., U.S. Patent No. 6,028,605. Claims 116-138, and 208-230 have been cancelled, without prejudice to focus the prosecution of this application with respect to the inventive concept of claim 1, and variations thereof. Independent claims 24, 70, 93, 139, and 162 have been amended to also more closely conform to the inventive concept of claim 1. Claims 116-138, and 208-230 have not been cancelled for any reason related to patentability. Further, Independent claims 24, 70, 93, 139, and 162 have not been amended for any reason related to patentability.

Applicant's attorney appreciates the courtesy of the Examiner interviews on August 31, 2005, and September 7, 2005. As we discussed, Applicant's attorney respectfully submits that Conrad et al. do not teach or suggest Applicant's invention as recited in claims 1-115, and 139-207.

Claim 1

Applicant's inventive concept as recited in claim 1, for example, resides in a method for delivering data to a user's computer. The method provides a menu of available data to be delivered from an automated delivery system. The menu includes predetermined specifications for delivering data. At least one of the predetermined specifications allows the user to specify at least one of the user computer *database locations* for the data to be delivered. The data identified by the user's selection to the user's computer is outputted based on the at least one set of predetermined data delivery specifications.

Conrad et al. teach categorizing different types of information through the use of semantic properties by using a graphical user interface. Conrad et al. teach methods for querying a database and also methods for displaying the results of the query on a user's screen.

In particular, claim 1 recites the step of:

- (a) providing a menu of available data to be delivered from an automated data delivery system that includes a selection list of available predetermined specifications for delivering data automatically wherein at least one of the predetermined specifications for delivering data allows the user to specify at least one of the user computer database locations for the data to be delivered

An example of the user computer database location is provided on page 40 of the specification as "user computer database location (e.g., C:\excel2000\...)." In the Examiner's remarks in Paragraph 4 of the office action, support for Conrad et al. teaching step (a) of claim 1 was specified as Col. 10, lines 13-16, and col. 10, lines 25-27. These portions of Conrad et al. are reproduced below for the Examiner's convenience.

The text may include boolean operators such as AND, OR, and NOT, and other wildcards and root expanders. A pull-down menu enables modification of the search through the use of semantic properties such as dimension/category of relationship. [col. 10, lines 13-16]

The results window obtains various of types of information from the metadata, and in combination with a user search query, displays the specific data as one or more panels in the results window. [col. 10, lines 25-27]

Applicant's attorney agrees that Conrad et al. teaches a pull-down menu that enables modification of a query. Applicant's attorney also agrees that the results of the query are displayed in a results window. However, where does Conrad et al. teach a menu having at least one predetermined specification which allows the user to specify a *specific database location* for the data to be delivered?

Further, claim 1 of the above-referenced patent application recites the steps of:

- (c) receiving a user's selection of at least one set of predetermined data delivery specifications; and

In the Examiner's remarks in Paragraph 4 of the office action, support for Conrad et al. teaching step (c) of claim 1 was specified as Col. 10, lines 25-35. In column 10, lines 25-35, Conrad et al. teach that the specific information retrieved using the metadata in combination with a user's query is displayed as "one or more panels in the results window" as shown in FIG. 21. Therefore, Conrad et al. does not allow the user to specify at least one of the user computer database locations for the data to be delivered but rather displays the results of a user's metadata query "on screen in a results sidebar" (col. 10, lines 49-50). Although Applicant agrees that Col 10, lines 25-35 teaches the program configuring the data in a results window and three panels, where does Conrad et al. teach the reception of a user's selection of predetermined data delivery specifications? There

does not appear to be any type of predetermined data delivery specifications discussed in lines 25-35.

In addition, claim 1 of the above-referenced patent application also recites the step of:

- (d) outputting, automatically and repeatedly, the data identified by the user's selection to the users computer based on the at least one set of predetermined data delivery specifications.

In the Examiner's remarks in Paragraph 4 of the office action, support for Conrad et al. teaching step (d) of claim 1 was specified as Col. 10, lines 48-60. Lines 48-60 appear to teach the updating of information under headings in real-time as the user selects documents. Lines 48-60, on the other hand, does not appear to teach the step of outputting, automatically and repeatedly, the data identified by the user's selection to the users computer based on the at least one set of predetermined data delivery specifications as recited in claim 1, and thus each of the claims which depend therefrom. Where specifically in column 10, lines 48-60 does it teach the automatic and repeated outputting of data identified by the users selection to the users computer?

Although the dependent claims will not be specifically discussed herein (except with respect to the rejection under 35 USC § 103(a)), Applicant's attorney respectfully disagrees with the Examiner's statements regarding the dependent claims so as to avoid making any unintentional admissions.

Claim 24

Claim 24 is similar in scope to claim 1, discussed above, except that claim 24 more specifically defines the term "automated data delivery system" in claim 1, to a "website",

and claim 24 further recites that the website receives “terms of payment for the delivery of data.” Thus, the differences between the inventive concept of claim 1 and the Conrad reference are equally applicable to the inventive concept of claim 24 and the Conrad reference. Further, the Conrad reference does not teach the step of “receiving, by the website, a user’s selection of at least one set of predetermined data delivery specifications including at least one of the user computer database locations for the data to be delivered and terms of payment for the delivery of data.”

Claim 47

Claim 47 is similar in scope to claim 1, discussed above, except that claim 47 more specifically defines the steps (A), (B) and (C) to be implemented “electronically.” Thus, the differences between the inventive concept of claim 1 and the Conrad reference are equally applicable to the inventive concept of claim 24 and the Conrad reference.

Claim 70

Claim 70 is similar in scope to claim 1, discussed above, except that claim 70 more specifically:

- (1) defines the term “automated data delivery system” in claim 1, to a “website”;
- (2) further recites that the website receives “terms of payment for the delivery of data”; and
- (3) defines the steps (a), (b), (c) and (d) to occur electronically.

Thus, the differences between the inventive concept of claim 1 and the Conrad reference are equally applicable to the inventive concept of claim 70 and the Conrad reference. Further, the Conrad reference does not teach the step of “receiving, by the website, a user’s selection of at least one set of predetermined data delivery specifications including terms of payment for the delivery of data.

Claim 93

Claim 93 is similar in scope to claim 1, discussed above, except that claim 93 further recites “at least one of the predetermined specifications for delivering data allows the user to specify the format for the data to be delivered.”

Thus, the differences between the inventive concept of claim 1 and the Conrad reference are equally applicable to the inventive concept of claim 93 and the Conrad reference. Further, the Conrad reference does not teach “at least one of the predetermined specifications for delivering data allows the user to specify the format for the data to be delivered.”

Claim 139

Claim 139 is similar in scope to claim 1, discussed above, except that claim 139 more specifically further recites “at least one of the predetermined specifications for delivering data allows the user to specify the time for the data to be delivered.”

Thus, the differences between the inventive concept of claim 1 and the Conrad reference are equally applicable to the inventive concept of claim 139 and the Conrad

reference. Further, the Conrad reference does not teach “at least one of the predetermined specifications for delivering data allows the user to specify the time for the data to be delivered.”

Claim 162

Claim 162 is similar in scope to claim 1, discussed above, except that claim 162 more specifically:

- (1) defines the term “automated data delivery system” in claim 1, to a “website”;
- (2) further recites that the website receives “terms of payment for the delivery of data”; and
- (3) defines at least one of the predetermined specifications for delivering data to allow the user to specify the time for the data to be delivered.

Thus, the differences between the inventive concept of claim 1 and the Conrad reference are equally applicable to the inventive concept of claim 162 and the Conrad reference. Further, the Conrad reference does not teach the step of “receiving, by the website, a user’s selection of at least one set of predetermined data delivery specifications including terms of payment for the delivery of data”, or at least one of the predetermined specifications for delivering data allowing the user to specify the time for the data to be delivered.

Claim 185

Claim 185 is similar in scope to claim 1, discussed above, except that claim 185 more specifically defines the “predetermined specifications for delivering data allows the user to specify at least two specifications selected from a group comprising a time for the data to be delivered, a user computer database location of the data to be delivered and the format of the data to be delivered.”

Thus, the differences between the inventive concept of claim 1 and the Conrad reference are equally applicable to the inventive concept of claim 185 and the Conrad reference. Further, the Conrad reference does not teach: “at least two specifications selected from a group comprising a time for the data to be delivered, a user computer database location of the data to be delivered and the format of the data to be delivered.”

In summary, it is believed that Conrad et al. do not teach or even suggest the methods recited above. Reconsideration and withdrawal of the rejections of claims 1-115, and 139-207 is respectfully requested.

Rejection of Claim Under 35 U.S.C. § 103(a)

In the Office Action mailed September 13, 2004, the Examiner rejected claims 9, 11, 13, 15, 17, 18, 21, and 23 under 35 U.S.C. § 103(a) as being unpatentable over Conrad et al. in view of Louis A. Ollivier (U.S. Patent No. 6,363,958).

For the reasons set forth above, the Examiner's rejection of dependent claims 9, 11, 13, 15, 17, 18, 21, and 23 under 35 U.S.C. § 103(a) is respectfully traversed on the basis that the prior art reference of Conrad et al. does not teach, disclose, or even suggest Applicant's method recited in claims 9, 11, 13, 15, 17, 18 and 21.

That is, Applicant's inventive concept as recited in claim 1 resides in a method for delivering data to a user's computer. The method provides a menu of available data to be delivered from an automated delivery system. The menu includes predetermined specifications for delivering data. At least one of the predetermined specifications allows the user to specify at least one of the user computer *database locations* for the data to be delivered. The data identified by the user's selection to the user's computer is outputted based on the at least one set of predetermined data delivery specifications.

Conrad et al. teach categorizing different types of information through the use of semantic properties by using a graphical user interface. Conrad et al. teach methods for querying a database and also methods for displaying the results of the query on a user's screen. Conrad et al. does not teach or suggest specifying a *specific database location* on the user's computer to deliver data or delivering the data identified by a user's selection to the user's computer based on the at least one set of predetermined data delivery specifications. in column 10, lines 24-30, Conrad et al. teach that the specific information retrieved using the metadata in combination with a user's query is displayed as "one or more panels in the results window" as shown in FIG. 21. Therefore, Conrad et al. does not allow the user to specify at least one of the user computer database locations for the data to be delivered but rather displays the results of a user's metadata query "on screen in a results sidebar" (col. 10, lines 49-50).

The Examiner has recognized that the Conrad et al. reference does not disclose a verification program each time data is delivered and has attempted to supply the deficiency with the verification program of Ollivier. However, it is respectfully submitted that Ollivier does not supply the deficiency of Conrad et al. Ollivier teaches a method for controlling

the batchwise delivery of process gas for semiconductor manufacturing using a flow control system. The flow control system is used to provide a flow setting, read the actual value of the flow delivered, start and stop a delivery phase and select flow verification at each delivery or periodically. However, there is no teaching in Ollivier of allowing a user to specify at least one of the user computer database *locations* for the data to be delivered or delivering the data to the *specified* location.

As the Examiner is aware, the prior art must suggest the desirability of the claimed invention. Providing the system of categorizing data in Conrad et al. with the verification system of Ollivier would not provide one with the capability of specifying at least one of the user computer database locations for the data to be delivered as recited in Applicant's independent claim 1.

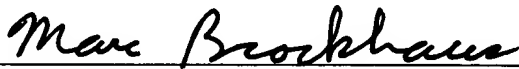
In view of the above, Applicant submits that dependent claims 9, 11, 13, 15, 17, 18, 21, and 23 are not obvious over Conrad et al. in view of Ollivier within the meaning of 35 U.S.C. § 103(a). In light of the foregoing, Applicant respectfully requests reconsideration and withdrawal of the rejections of claims 9, 11, 13, 15, 17, 18, 21, and 23 under 35 U.S.C. § 103(a).

In view of the above, Applicant submits that claim 1-115, and 139-207 are not anticipated by Conrad et al. within the meaning of 35 U.S.C. § 102(e) and not obvious over Conrad et al. in view of Ollivier within the meaning of 35 U.S.C. § 103(a). In light of the foregoing, Applicant respectfully requests reconsideration and withdrawal of the rejections of claims 1-115, and 139-207.

SUMMARY

Accordingly, Applicant submits that the claims are now in a condition for allowance. Reconsideration of the rejections and objections is requested. Should the Examiner have any questions or comments regarding this amendment, Applicant's attorney would welcome the opportunity to discuss the same with the Examiner.

Respectfully submitted,



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